

IN RE: PETITION FOR ZONING VARIANCE
S/S Sparrows Point Blvd., 58'
SE of Eugene Avenue
(7513 Sparrows Point Blvd.)
15th Election District
7th Councilmanic District
Leo Moser, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-368-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 2 feet for an existing dwelling, and a side yard setback of 3 feet for a proposed addition, in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. Also appearing on behalf of the Petition was James R. Brooks, Petitioner's contractor. Appearing as an interested party was Connie C. Scott, owner of the adjoining vacant lot. There were no Protestants.

Testimony indicated that the subject property, known as 7513 Sparrows Point Boulevard, consists of 7,850 sq. ft. zoned D.R. 5.5 and is improved with a single family dwelling. Mr. Moser testified that he has resided on the property for the past 24 years and that he and his wife purchased the property from his family approximately 6 years ago. Petitioners are desirous of constructing an addition to the existing dwelling to provide more habitable space for their expanding family. Mr. Moser testified that due to the layout of the dwelling and its location on the property, the requested variances are necessary for the existing improvements as well as the proposed addition. Testimony indicated that the existing side yard setback of 2 feet is as it was when Mr. Moser's parents first purchased the property. Testimony indicated the Petitioners have discussed their plans with the property owners on the affected side who have no

objections. Further testimony indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Ms. Scott testified she appeared to find out what Petitioners' exact plans were for the subject property and indicated that after hearing the testimony, she has no objections to Petitioners' request.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

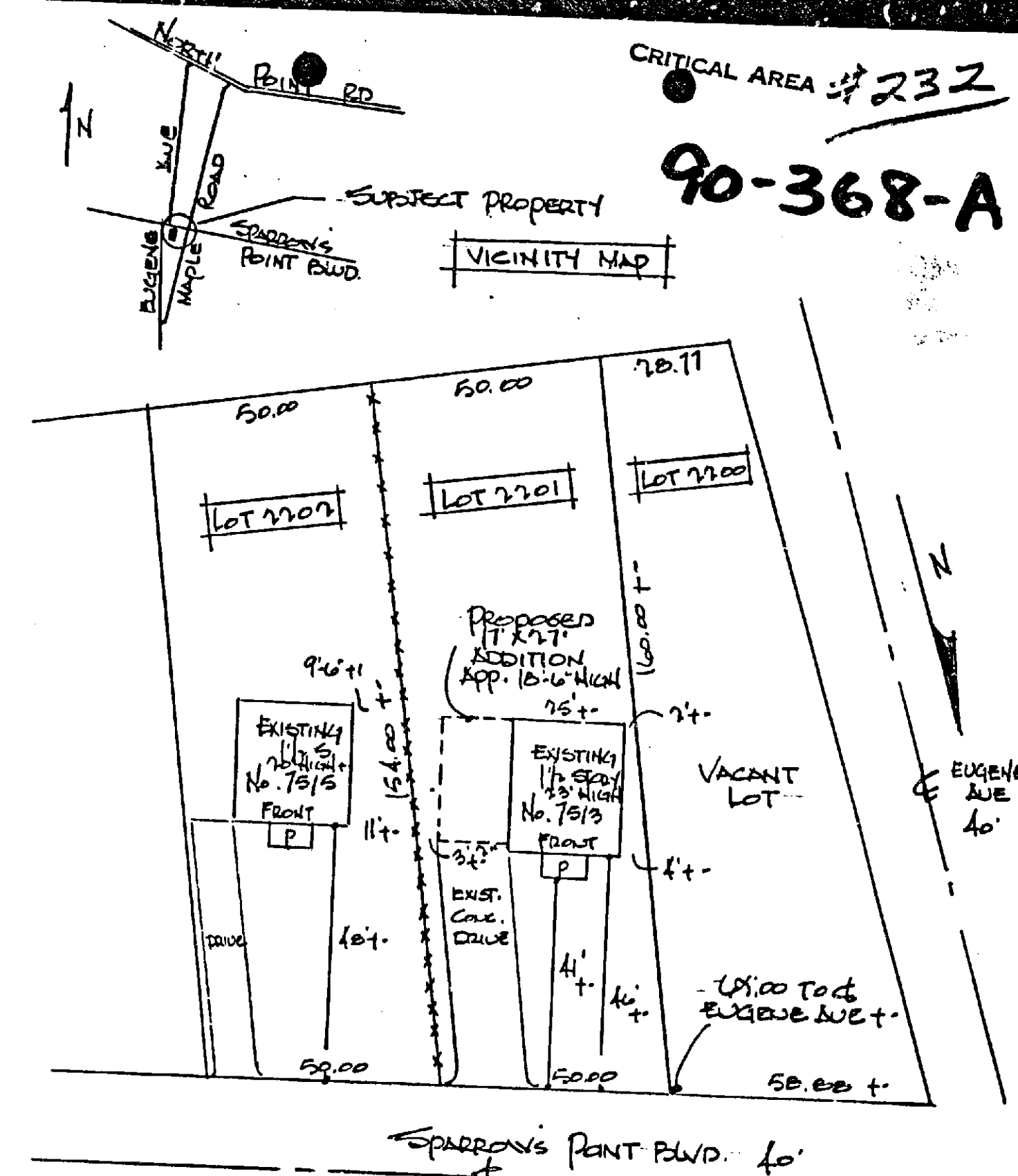
- 2 -

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of March, 1990 that the Petition for Zoning Variance to permit a side yard setback of 2 feet for an existing dwelling, and a side yard setback of 3 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:hjs



PLAT FOR ZONING VARIANCE
OWNER - LEO M. & CATHERINE A. MOSER
DISTRICT IS - ZONED D.R. 5.5
SUBDIVISION - LODGE FOREST
LOT 2201 SPARROWS POINT BLVD.
EXISTING UTILITIES IN SPARROWS POINT BLVD.
THIS PROPERTY IS IN CRITICAL AREA #232
PLAT PLAN

ORDER RECEIVED FOR FILING
Date 3/21/90
By J. Robert Haines

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-368-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. To allow side yard setbacks of 2 feet (existing) and 3 feet (proposed) in lieu of the required 10 feet and 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Family has grown, they need more living space. Also need additional parking. Using part of living room as a bedroom at present.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____

Legal Owner(s):
Leo Moser
(Type or Print Name)
Signature _____
Address _____
City and State _____

Attorney for Petitioner:
(Type or Print Name) _____
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____

7513 Sparrows P. Blvd. 410-9195
Baltimore, Md. 21219
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Golden Touch Contractors
Name
2207 Woods Rd. 301-8887
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of March, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of March, 1990, at 3 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 3/21/90
By J. Robert Haines

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

February 8, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-368-A
S/S Sparrows Point Blvd., 58' SE of Eugene Avenue
7513 Sparrows Point Blvd.
15th Election District - 7th Councilmanic
Petitioner(s): Leo Moser, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 3:00 p.m.

Variance to allow side yard setbacks of 2 feet (existing) and 3 feet (proposed) in lieu of the required 10 feet and 10 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs

cc: Mr. & Mrs. Moser
Golden Touch Contractors

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

March 29, 1990

Mr. & Mrs. Leo Moser
7513 Sparrows Point Boulevard
Baltimore, Maryland 21219

RE: PETITION FOR ZONING VARIANCE
S/S Sparrows Point Boulevard, 58' SE of Eugene Avenue
(7513 Sparrows Point Boulevard)
15th Election District - 7th Councilmanic District
Leo Moser, et ux - Petitioners
Case No. 90-368-A

Dear Mr. & Mrs. Moser:

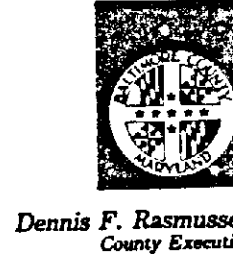
Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:hjs
cc: Ms. Connie C. Scott
7841 North Cove Road, Baltimore, Md. 21219

People's Counsel
File



Dennis F. Rasmussen
County Executive

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Catherine Moser	7513 Sparrows Pt. Blvd
Leo H. Moser	7513 Sparrows Pt. Blvd
James R. Moser	8257 Woodc. Rd.

Indented
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Constance C. Scott	11441 North Ave. Rd.
	Rd 100 R1219

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 3/5/90



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Leo Moser
7513 Sparrows Point Blvd.
Baltimore, Maryland 21219

Re: Petition for Zoning Variance
CASE NUMBER: 90-368-A
5/3 Sparrows Point Blvd., 58' SE of Eugene Avenue
7513 Sparrows Point Blvd.
15th Election District - 7th Councilmanic
Petitioner(s): Leo Moser, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 3:00 p.m.

Dear Mr. & Mrs. Moser:

Please be advised that \$105.20 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs
cc: File

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

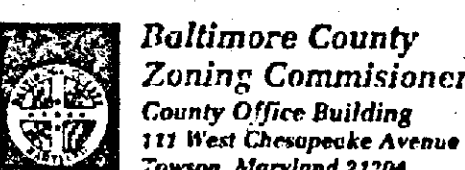
4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222 February 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case 90-368-A - P.O. #0102697 - Reg. #M39035 - 75 lines was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 23rd day of February 1990; that is to say, the same was inserted in the issues of Feb. 22, 1990

Kimbel Publication, Inc.
per Publisher.

By J.C. Decker

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
887-3353
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at 3:00 p.m. on Wednesday, March 21, 1990 at 3:00 p.m. Petitioner(s): Leo Moser, et ux. CASE NUMBER: 90-368-A. 5/3 Sparrows Point Blvd., 58' SE of Eugene Avenue. 7513 Sparrows Point Blvd. 15th Election District. 7th Councilmanic District. Petitioner(s): Leo Moser, et ux. HEARING: WEDNESDAY, MARCH 21, 1990 at 3:00 p.m. Variance: To allow side yard setbacks of 2 feet (existing) and 3 feet (proposed) in lieu of the required 10 feet and 12 feet. It is the intent of this Petition to grant a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing. J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt
N: 968

1/12/90
PUBLIC HEARING FEES
010 - ZONING VARIANCE (IRL) 1 x \$35.00
LAST NAME OF OWNER, MOSER TOTAL: \$35.00

8 0584***3500121287
Please make checks payable to Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb. 22, 1990.

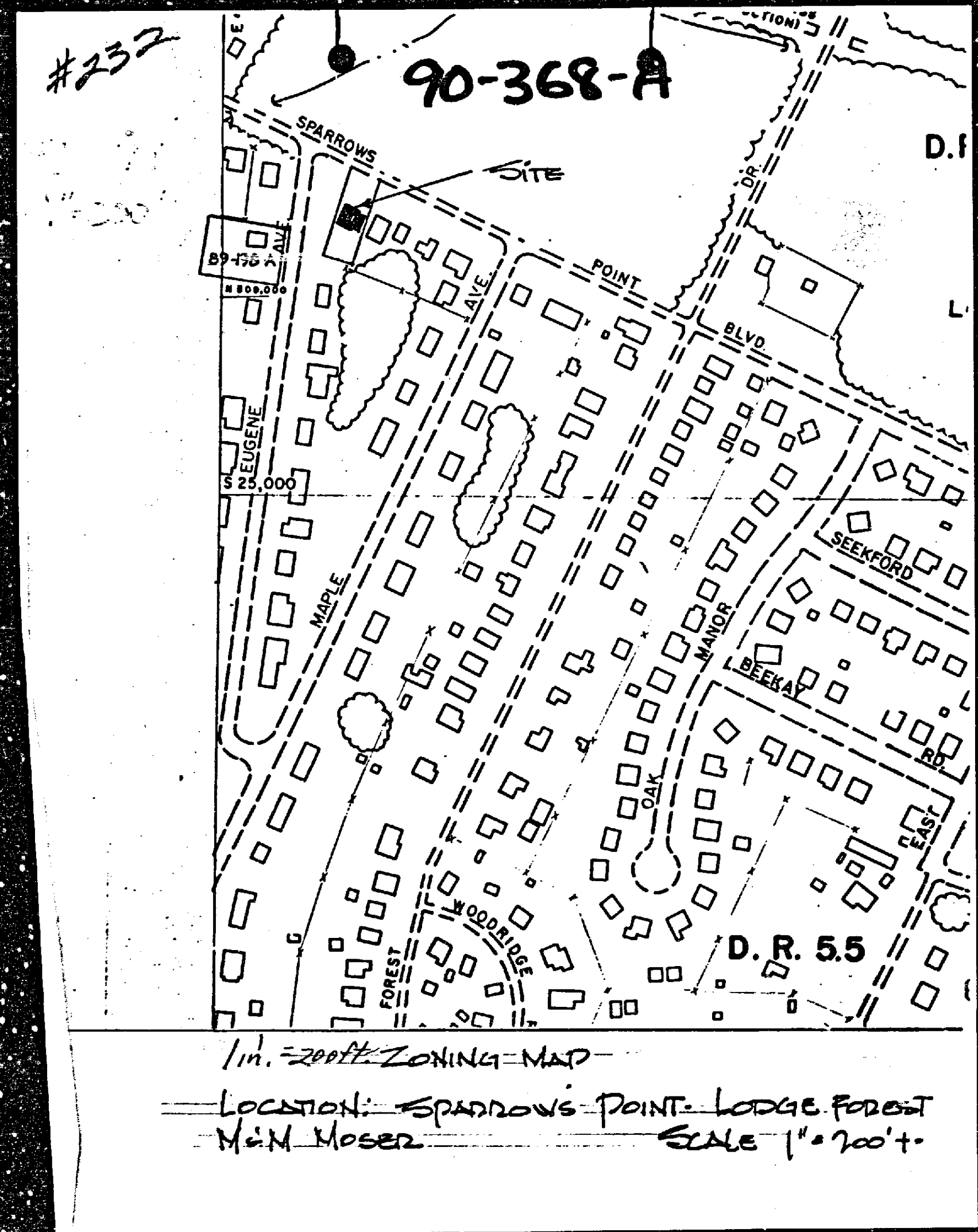
THE JEFFERSONIAN,

S. Zure Orman
Publisher

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ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15th
Posted for: Leo Moser, et ux
Petitioner: Leo Moser, et ux
Location of property: 5/3 Sparrows Pt. Blvd., 58' SE of Eugene Ave.
7513 Sparrows Pt. Blvd.
Location of Sign: Facing Sparrows Pt. Blvd., 20222, 10' E. road way
on property of A. Haines
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 3/2/90
Date of return: 3/9/90



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Ms. Gwen Stephens
Zoning Office

DATE: March 20, 1990

FROM: Mr. David C. Flowers

SUBJECT: Petition for Zoning Variance - Item 232
Moser Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 7513 Sparrows Point Blvd. The site has been determined to not be located within the Chesapeake Bay Critical Area.

APPLICANT'S NAME

Mr. and Mrs. Leo Moser

CONCLUSION

Since the proposed development site does not lie within the Chesapeake Bay Critical Area, a Critical Area Findings is not required for this site. If there are any questions, please contact me at 887-2904.

David C. Flowers
David C. Flowers, Coordinator
Chesapeake Bay Critical Area Program

RWS:DCF:ju

cc: The Honorable Ronald B. Hickernell
The Honorable Norman W. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 13, 1990

Mr. & Mrs. Leo Moser
7513 Sparrows Point Blvd
Baltimore, MD 21219

RE: Item No. 232, Case No. 90-368-A
Petitioner: Leo Moser, et ux
Petition for Zoning Variance

Dennis F. Rasmussen
County Executive

Dear Mr. & Mrs. Moser:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 157, 219, 223, 226, 227, 228, 230, 232, 233 and 234. In addition, we have no comments for Item 176-Perry Hall Square, and Item 162-Kelso Research Park.

89-471-SPHXA - Exxon Service Center is subject to County Review Group comments previously submitted on December 20, 1989.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: February 1, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Leo Moser, Item 232

The Petitioner requests a Variance to allow side yard setbacks of 2 ft. (existing) and 3 ft. (proposed) in lieu of the required 10 ft.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

February 1, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Rasmussen
County Executive

RE: Property Owner: LEO MOSER

Location: #7513 SPARROWS POINT BOULEVARD

Item No.: 232 Zoning Agenda: FEBRUARY 6, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Paul H. Reincke* 2-1-90
Planning Group
Special Inspection Division

Noted and
Approved
Capt. Wm. B. B. B.
Fire Prevention Bureau

JK/KEK

FEB 06 1990

FEB 07 1990

IN RE: PETITION FOR ZONING VARIANCE
S/S Sparrows Point Blvd., 58'
SE of Eugene Avenue
(7513 Sparrows Point Blvd.)
15th Election District
7th Councilmanic District
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Petitioners

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* OF BALTIMORE COUNTY
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It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

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THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of March, 1990 that the Petition for Zoning Variance to permit a side yard setback of 2 feet for an existing dwelling, and a side yard setback of 3 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

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ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:hjs

ORDER RECEIVED FOR FILING
Date 3/21/90
By [Signature]

CRITICAL AREA #232
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-368-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. To allow side yard setbacks of 2 feet (existing) and 3 feet (proposed) in lieu of the required 10 feet and 10 feet.

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Family has grown, they need more living space. Also need additional parking. Using part of living room as a bedroom at present.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____

Legal Owner(s):
Leo Moser
(Type or Print Name)
Signature [Signature]
Address [Address]
City and State [City and State]

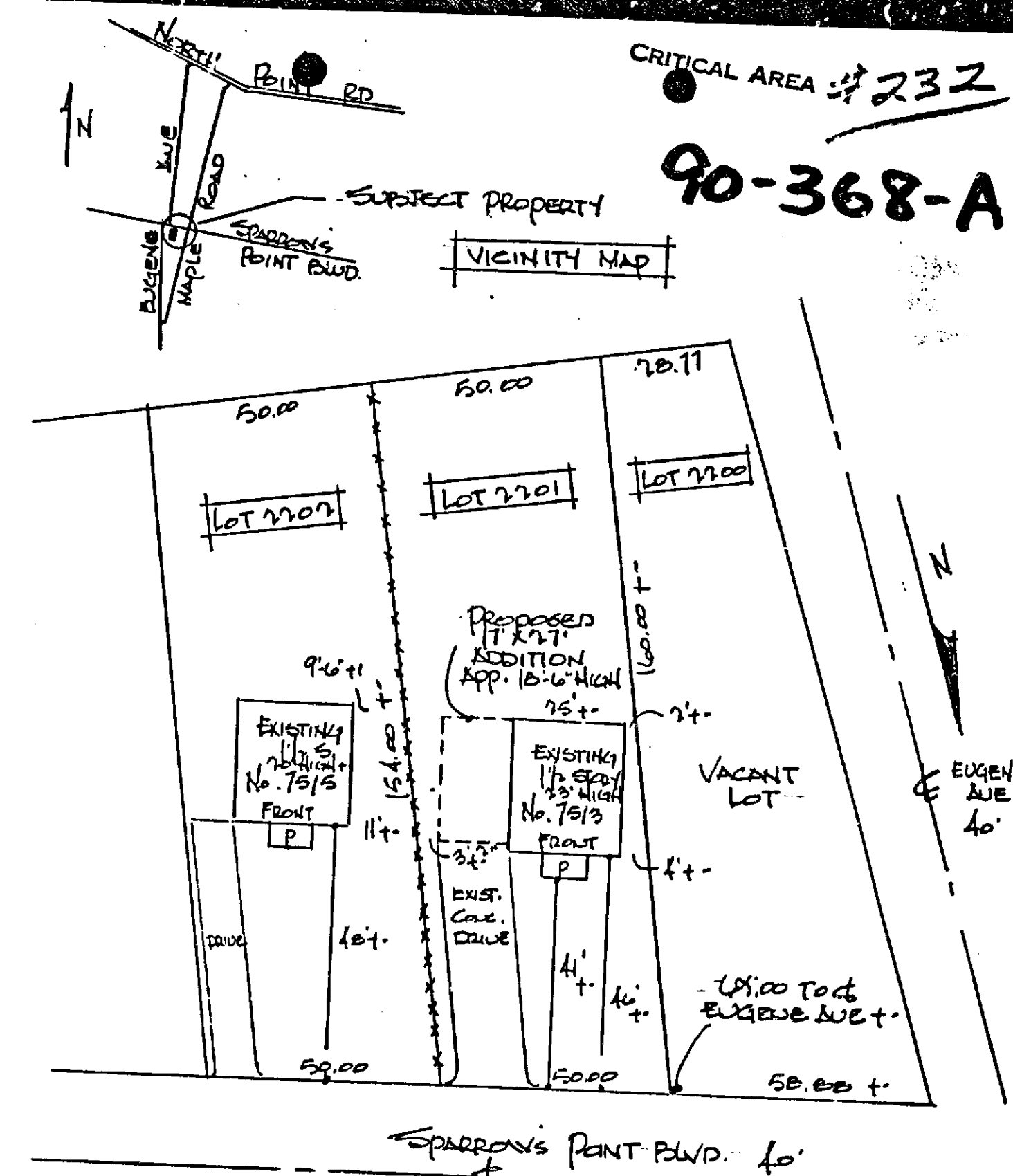
Attorney for Petitioner:
(Type or Print Name) 7513 Sparrows P. Blvd. 417-9195
Signature [Signature]
Address Baldwin, Md. 21014
City and State Baltimore, Md.
Attorney's Telephone No.: 820-7400
Address 2207 Woods Rd. 344-8887

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of March, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of March, 1990, at 3 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date 3/21/90
By [Signature]

ESTIMATED LENGTH OF HEARING 1-1/2 HRS.
ALL INFORMATION TO BE FILED IN CASE NO. 90-368-A
REVIEWED BY: [Signature] DATE 1-12-90



PLAT FOR ZONING VARIANCE
OWNER - LEO M. & CATHERINE A. MOSER
DISTRICT IS - ZONED D.R. 5.5
SUBDIVISION - LODGE FOREST
LOT 2201 SPARROWS POINT BLVD.
EXISTING UTILITIES IN SPARROWS POINT BLVD.
THIS PROPERTY IS IN CRITICAL AREA #232
PLAT PLAN

LOT SIZE: 7050 S.F.

PETITIONER'S
EXHIBIT 1

Zoning Description CRITICAL AREA #232
90-368-A

Beginning at a point on the South side of Sparrows Point Blvd. which is 38 ft. wide at the distance 58.88 ft. East of Eugene Ave. Being lot No. 2201 in the subdivision of Lodge Forest as recorded in Balto. County Plat Book No. 10 Folio 76 containing 7,850 sq. ft. Also known as No. 7513 Sparrows Point Blvd. & located in the 15th Election District.

PLEASE PRINT CLEARLY
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Catherine Moser	7513 Sparrows Pt Blvd
Leo H Moser	7513 Sparrows Pt Blvd
James R Moser	8257 Woodc Rd.

Interested
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Conrad C Scott	11441 North Ave Rd
	Rd 110 R1219

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 3/5/90



Mr. & Mrs. Leo Moser
7513 Sparrows Point Blvd.
Baltimore, Maryland 21219
Re: Petition for Zoning Variance
CASE NUMBER: 90-368-A
S/S Sparrows Point Blvd., 58' SE of Eugene Avenue
7513 Sparrows Point Blvd.
15th Election District - 7th Councilmanic
Petitioner(s): Leo Moser, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 3:00 p.m.

Dear Mr. & Mrs. Moser:
Please be advised that \$ 105.20 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs
cc: File

CERTIFICATE OF PUBLICATION

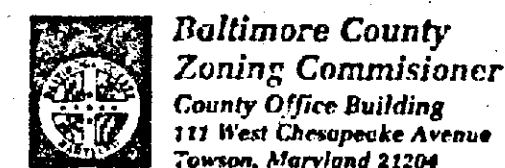
OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222
February 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case 90-368-A - T.O. #0102697 - Reg. #M39035 - 75 lines was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 23rd day of February 1990; that is to say, the same was inserted in the issues of Feb. 22, 1990

Kimbel Publication, Inc.
per Publisher.

By J.C. Decker



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number N: 968

DATE	DESCRIPTION	QTY	PRICE
1/12/90	PUBLIC HEARING FEES		
	010 - ZONING VARIANCE (IRL)	1	\$35.00
	LAST NAME OF OWNER, MOSER		\$35.00
	TOTAL:		\$35.00

8 058 *****3500121287
Please make checks payable to Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
887-3353
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at 3:00 p.m. on Wednesday, March 21, 1990 at 3:00 p.m. Petitioner(s): Leo Moser, et ux. CASE NUMBER: 90-368-A. S/S Sparrows Point Blvd., 58' SE of Eugene Avenue. 7513 Sparrows Point Blvd. 15th Election District. 7th Councilmanic District. Petitioner(s): Leo Moser, et ux. HEARING: WEDNESDAY, MARCH 21, 1990 at 3:00 p.m. Variance to allow side yard setback of 2 feet (existing) and 3 feet (proposed) in lieu of the required 10 feet and 10 feet. In the event that this Petition is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the decision of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing. J. ROBERT HAINES ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb. 22, 1990.

THE JEFFERSONIAN,

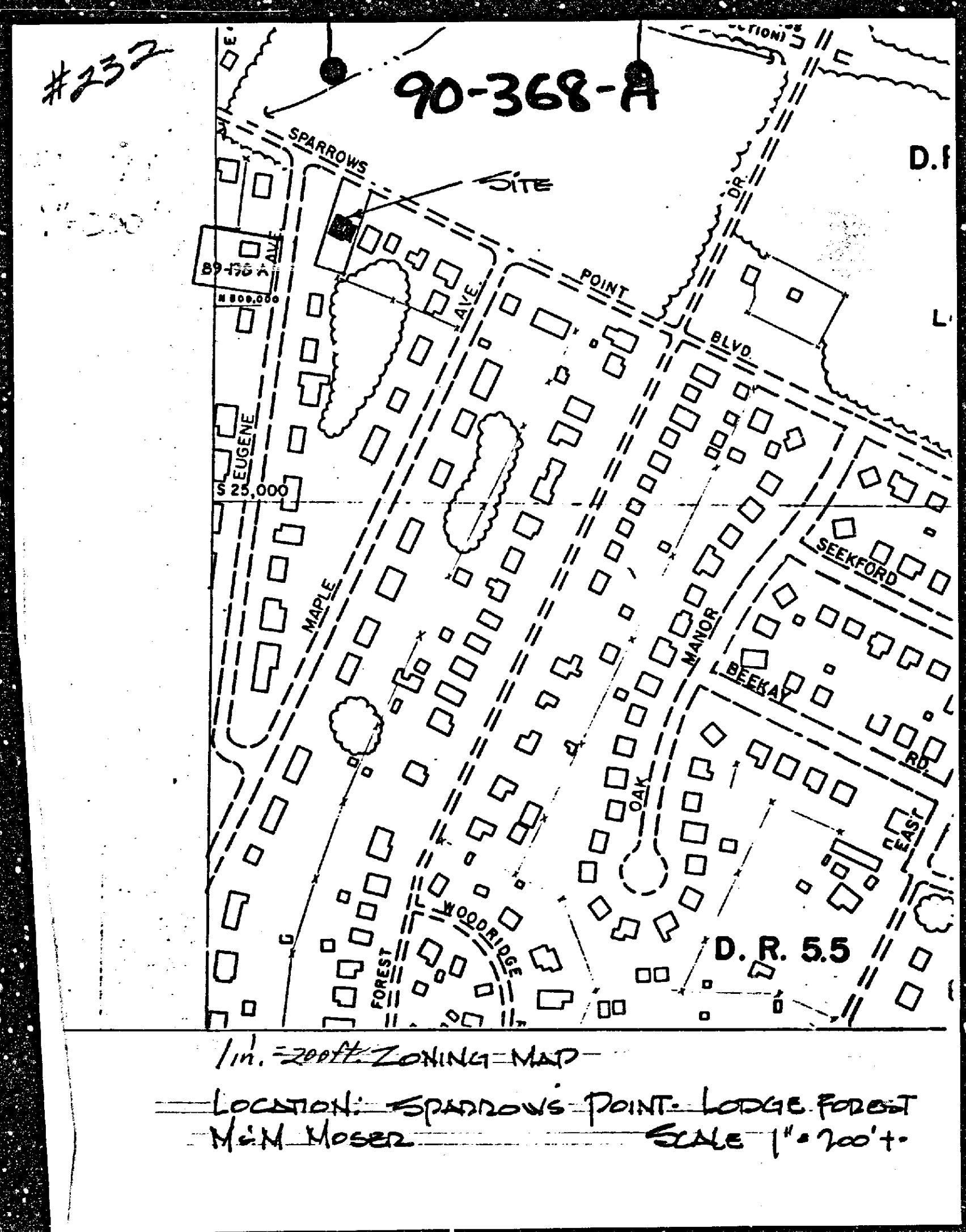
S. Zure Orlean
Publisher

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CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th
Post for: Leo Moser, et ux
Petitioner: S/S Sparrows Pt. Blvd., 58' SE of Eugene Ave.
Location of property: S/S Sparrows Pt. Blvd.
Location of sign: Sparrows Pt. Blvd., 58' SE of Eugene Ave.
Remarks: On property of A. Haines
Posted by: J. Robert Haines
Number of signs: 1
Date of Posting: 3/2/90
Date of return: 3/9/90



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Ms. Gwen Stephens
Zoning Office

DATE: March 20, 1990

FROM: Mr. David C. Flowers

SUBJECT: Petition for Zoning Variance - Item 232
Moser Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 7513 Sparrows Point Blvd. The site has been determined to not be located within the Chesapeake Bay Critical Area.

APPLICANT'S NAME

Mr. and Mrs. Leo Moser

CONCLUSION

Since the proposed development site does not lie within the Chesapeake Bay Critical Area, a Critical Area Findings is not required for this site. If there are any questions, please contact me at 887-2904.

David C. Flowers
David C. Flowers, Coordinator
Chesapeake Bay Critical Area Program

RWS:DCF:ju

cc: The Honorable Ronald B. Hickernell
The Honorable Norman W. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 13, 1990

Mr. & Mrs. Leo Moser
7513 Sparrows Point Blvd
Baltimore, MD 21219

RE: Item No. 232, Case No. 90-368-A
Petitioner: Leo Moser, et ux
Petition for Zoning Variance

Dennis F. Rasmussen
County Executive

Dear Mr. & Mrs. Moser:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 157, 219, 223, 226, 227, 228, 230, 232, 233 and 234. In addition, we have no comments for Item 176-Perry Hall Square, and Item 162-Kelso Research Park.

89-471-SPHXA - Exxon Service Center is subject to County Review Group comments previously submitted on December 20, 1989.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: February 1, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Leo Moser, Item 232

The Petitioner requests a Variance to allow side yard setbacks of 2 ft. (existing) and 3 ft. (proposed) in lieu of the required 10 ft.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

February 1, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Rasmussen
County Executive

RE: Property Owner: LEO MOSER

Location: #7513 SPARROWS POINT BOULEVARD

Item No.: 232 Zoning Agenda: FEBRUARY 6, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Paul H. Reincke* 2-1-90
Planning Group
Special Inspection Division

Noted and
Approved
Fire Prevention Bureau

JK/KEK

FEB 06 1990